

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STRUCTURED CAPITAL SOLUTIONS,  
LLC

Plaintiff,

v.

COMMERZBANK, AG, NEW YORK  
BRANCH

Defendant.

Civil Action No.:

1:15-cv-00905 (JSR) (JLC)

**DECLARATION OF JEFFERSON H. READ**

I Jefferson H. Read, declare under penalty of perjury pursuant to 28 U.S.C. §1746 as follows:

1. I am an attorney at Zerbe, Fingeret, Frank & Jadav, P.C., counsel to Plaintiff Structured Capital Solutions in the above captioned matter. I make this declaration in support of Plaintiff's Motion for Partial Summary Judgment to place before the Court documents and information necessary for its determination of this motion.
2. Attached as Exhibit 1 is a true and correct copy of the Information Use and Disclosure Agreement executed between Plaintiff and Defendant in January 2013.
3. Attached as Exhibit 2 is a true and correct copy of excerpts from the 30(b)(6) deposition of William Donohue.
4. Attached as Exhibit 3 is a true and correct copy of excerpts from the 30(b)(1) deposition of William Donohue.
5. Attached as Exhibit 4 is a true and correct copy of excerpts from the 30(b)(1) deposition of Laurance Rosansky.
6. Attached as Exhibit 5 is a true and correct copy of excerpts from the 30(b)(1) deposition of Leon Kozak.
7. Attached as Exhibit 6 is a true and correct copy of excerpts from the 30(b)(1) deposition of Nicholas Sopkin.
8. Attached as Exhibit 7 is a true and correct copy of excerpts from the 30(b)(6) deposition of Paul Burrows.
9. Attached as Exhibit 8 is a true and correct copy of excerpts from the 30(b)(1) deposition of Paul Burrows.
10. Attached as Exhibit 9 is a true and correct copy of excerpts from the 30(b)(1) deposition of Neal Aiken.

11. Attached as Exhibit 10 is a true and correct copy of an email dated December 15, 2012 from Neil Aiken to Paul Burrows which was attached as Exhibit 38 to the deposition of Neil Aiken.
12. Attached as Exhibit 11 is a true and correct copy of an email dated April 25, 2013 produced by defendants under bates number COBA 27282.
13. Attached as Exhibit 12 is a true and correct copy of an email dated October 16, 2013 sent by Paul Burrows and produced by Defendant under bates number COBA43238.
14. Attached as Exhibit 13 is a true and correct copy of an email dated May 4, 2013 and produced by Defendant under bates number COBA 53181.
15. Attached as Exhibit 14 is a true and correct copy of a document titled Structured Capital Markets – Tactics Approval Form dated March 6, 2013 and produced by Defendants under bates number COBA 26721-22.
16. Attached as Exhibit 15 is a true and correct copy of an email with a document attached titled Structured Capital Markets – Tactics Approval Form dated March 8, 2013 and produced by Defendants under bates number COBA 26710-13.
17. Attached as Exhibit 16 is a true and correct copy of an email dated May 23, 2013 with a document attached titled Structured Capital Markets – Tactics Approval Form dated May 29, 2013 and produced by Defendants under bates number COBA 52130-33.
18. Attached as Exhibit 17 is a true and correct copy of an email chain between Anthony Tuths and Marc Fuhrman which was produced by SCS under bates number SCS 5933-34.
19. Attached as Exhibit 18 is a true and correct copy of an email dated May 8, 2013 sent by Bill Donohue to Nicholas Sopkin and which was redacted and produced by Defendant.
20. Attached as Exhibit 19 is a true and correct copy of an email dated February 7, 2013 from Nicholas Sopkin to Alexander Hering and Sam Talkovsky with a cc to Leon Kozak and Bill Donohue which was produced by Defendant by hand delivery under bates number DOC 1741 at the deposition of Mr. Sopkin.
21. Attached as Exhibit 20 is a true and correct copy of an email chain dated January 22, 2013 produced by Defendant under bates number COBA 51705-06.
22. Attached as Exhibit 21 is a true and correct copy of an email chain dated May 16, 2013 between Neil Aiken and Laurence Rosansky which was attached as Exhibit 17 to the deposition of Neil Aiken and which was produced by Defendant.
23. Attached as Exhibit 22 is a true and correct copy of an email chain between Steven Horowitz and Bill Donohue dated February 5 and February 6, 2013 produced by Defendant under bates number COBA 26374-77.
24. Attached as Exhibit 23 is a true and correct copy of an email produced by Defendant under bates number COBA 16949 dated June 17, 2014 from Heinrich Redemann to Bill Donohue.
25. Attached as Exhibit 24 is a true and correct copy of the executed copy of the Confidentiality Agreement between SCS and Societe Generale dated May 15, 2011 which was produced by SCS under bates number SCS 59-118.
26. Attached as Exhibit 25 is a true and correct copy of the executed copy of the Confidentiality Agreement between CommerzBank AG, New York Branch and Societe Generale dated Sept. 5, 2012 which was produced by Defendant under bates number COBA 53189-53191.

27. Attached as Exhibit 26 is a true and correct copy of an email chain between Paul Burrows, Bill Donohue and Neil Aiken dated Dec. 19, 2012 produced by Defendant under bates number COBA 7576-77
28. Attached as Exhibit 27 is a true and correct copy of an email chain produced by Societe Generale between Mark McTigue and Laurence Rosansky dated April 2010 under bates number SCS 238-248.
29. Attached as Exhibit 28 is a true and correct copy of excerpts from the 30(b)(1) deposition of Adam Parr.
30. Attached as Exhibit 29 is a true and correct copy of excerpts from the deposition of Paul Edwards dated July 9, 2015.
31. Attached as Exhibit 30 is a true and correct copy of a meeting confirmation dated November 8, 2012 produced by Defendant under bates number COBA 354.
32. Attached as Exhibit 31 is a true and correct copy of a meeting confirmation dated November 9, 2012 produced by Defendant under bates number COBA 355.
33. Attached as Exhibit 32 is a true and correct copy of the Declaration of Paul Edwards.
34. Attached as Exhibit 33 is a true and correct copy of the Declaration of Adam Parr.
35. Attached as Exhibit 34 is a true and correct copy of the Declaration of Marc Fuhrman and the exhibit #1 attached and referenced in the Declaration of Marc Fuhrman.
36. Attached as Exhibit 35 is a true and correct copy of excerpts from the deposition of Mark McTigue dated July 29, 2015.
37. Attached as Exhibit 36 is a true and correct copy of an email dated January 29, 2013, from Adam Parr to Nicholas Sopkin, Bill Donohue and Steven Horowitz and produced by Plaintiff under bates label SCS 0000000.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 21, 2015 in Houston, Texas.

  
Jefferson H. Read